

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION

GLORIA A. WILLIS

PLAINTIFF

VS.

CASE NO. 04-CV-1107

UNITED FOOD AND COMMERCIAL
WORKERS UNION, LOCAL 2008

DEFENDANT

ORDER

Before the Court is Plaintiff's Motion for New Trial. (Doc. No. 37). Before a new trial can be granted there must be a trial, either with or without a jury. *See* Fed.R.Civ.P 59. This case never went to trial, but rather was decided by the Court on Defendant's Motion for Summary Judgment. Therefore, a motion for a new trial is not appropriate in this case. Accordingly, the Court finds that Plaintiff's Motion for New Trial should be and hereby is **denied**.

IT IS SO ORDERED, this 13th day of June, 2006.

/s/Harry F. Barnes
Hon. Harry F. Barnes
United States District Judge